

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1112 OF 2004
IN
INCOME TAX APPEAL (LDG.) NO. 364 OF 2004

The Commissioner of Income
Tax, Mumbai. ... Appellant.

V/s.

Shri Hemdendra M. Kothari ... Respondent.

S.R.Chauhan for the appellant.

CORAM : DR.S.RADHAKRISHNAN
and V.C.DAGA, JJ.

DATED : 11th June 2007.

P.C. :

. Heard learned counsel for the appellant. None
for the respondent though served.

2. By this notice of motion, appellant seeks
to condone delay of 137 days in filing appeal.

3. Perused notice of motion and affidavit in
support thereof. For the reasons stated therein
sufficient cause is made out for condoning delay in
filing appeal. There is no case of inaction,
negligence or want of bonafide on the part of the
appellant. Hence notice of motion is made absolute
in terms of prayer clause (a).

(V.C.DAGA, J.)

(DR.S.RADHAKRISHNAN, J.)